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Central Intelligence Agency
Inspector General

REPORT OF INVESTIGATION



(U//~~FOUO~~) DEATH OF MANADAL AL-JAMAIDI
(2003-7423-IG)

3 November 2005

John L. Helgerson

Inspector General

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*Assistant Inspector General
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Supervisory Special Agent

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Al-Jamaidi, Manadal

Former Iraqi Army captain, cell leader of group believed to be planning attacks against coalition forces, died hours after capture by US forces on 4 November 2003.

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OFFICE OF INSPECTOR GENERAL
INVESTIGATIONS STAFF

REPORT OF INVESTIGATION

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INTRODUCTION

1. ~~(S)~~ On 4 November 2003, [redacted]

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[redacted] notified the Office of Inspector General (OIG) that an Iraqi detainee had died that day while being interrogated by [redacted] at Abu Ghurayb Prison near Baghdad. The detainee was Manadal Al-Jamaidi,¹ who was captured by Navy Sea, Air, Land (SEAL) Team 7 (ST-7) personnel during a raid on his residence in [redacted] Iraq, earlier that day. He was transported to the ST-7 compound at Baghdad International Airport (BIAP) for battlefield interrogation.

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[redacted] transported Al-Jamaidi to Abu Ghurayb Prison where he died approximately two hours later. The medical examiner ruled Al-Jamaidi's death a homicide.

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(b)(3) NatSecAct

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SUMMARY

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(b)(3) NatSecAct

2. (S) On 4 November 2003, members of ST-7 and [REDACTED]

[REDACTED] personnel conducted a mission to apprehend Manadal Al-Jamaidi. Al-Jamaidi reportedly had at his disposal two tons of [REDACTED] explosive [REDACTED]

[REDACTED] Al-Jamaidi was captured at his residence in [REDACTED] Baghdad, and transported by ST-7 personnel to their compound at BIAP for initial interrogation by Agency officers. In route to BIAP, Al-Jamaidi was physically abused by ST-7 personnel, who also posed for unofficial photographs with the injured prisoner. Al-Jamaidi was interrogated for approximately one hour at the ST-7 compound before being transported [REDACTED]

(b)(1)
(b)(3) NatSecAct [REDACTED] to Abu Ghurayb Prison for further questioning. (b)(1)
(b)(3) NatSecAct

[REDACTED]

(b)(1)
(b)(3) CIAAct
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NatSecAct

[REDACTED] Upon arrival at the prison, he was escorted by Army personnel to a shower room where, at the request of the Agency interrogator, Al-Jamaidi was secured by handcuffs to a barred window for interrogation. Al-Jamaidi died approximately one hour later while being interrogated. An autopsy determined the death resulted from blunt force injuries to the torso complicated by compromised respiration. The deputy medical examiner ruled the death a homicide.

[REDACTED]

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(b)(3) NatSecAct

[REDACTED] The deputy medical examiner concluded that the position in which Al-Jamaidi was placed during the interrogation exacerbated his otherwise serious but non-life-threatening internal injuries and compromised his breathing.

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PROCEDURES AND RESOURCES

63. ~~(S)~~ OIG coordinated its investigation into the death of Al-Jamaidi with Army CID [REDACTED] as well as the NCIS at its Washington, D.C. headquarters [REDACTED]

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ISSUES PRESENTED

66. (U//~~FOUO~~) This Report addresses the following issues:

- ◆ Events surrounding the death of Al-Jamaidi at Abu Ghurayb Prison.

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- ◆ Federal criminal laws and CIA policies and regulations relevant to Agency personnel in their treatment of Al-Jamaidi and in their actions in this investigation.

FINDINGS

(U//~~FOUO~~) EVENTS SURROUNDING THE DEATH OF AL-JAMAIDI AT ABU GHURAYB PRISON

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86. ~~(C)~~ None of the CID interview reports of military personnel indicate that CIA officers left the shower room during the interrogation of Al-Jamaidi.

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108. (U//~~FOUO~~) A final autopsy report was issued on 9 January 2004. Specifically, the deputy medical examiner wrote in his Opinion:

External injuries are consistent with injuries sustained during apprehension. Ligature injuries are present on the wrists and ankles. Fractures of the ribs and a contusion of the left lung imply significant blunt force injuries of the thorax and likely resulted in impaired respiration. According to investigating agents, interviews taken from individuals present at the prison during the interrogation indicate that a hood made of synthetic material was placed over the head and neck of the detainee.¹⁵ This likely resulted in further compromise of effective respiration. Mr. Al-Jamaidi was not under the influence of drugs of abuse or ethanol at the time of death. The cause of death is blunt force injuries of the torso complicated by compromised respiration. The manner of death is homicide.

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The following selected paragraphs

describe Al-Jamaidi's capture and death:

Background: Subject was captured by SEAL Team Seven in an early morning (4 November 03) raid in [REDACTED] Subject is a former Iraqi military officer involved in anti-coalition activities.

[REDACTED] Subject was a cell leader with access to two tons of plastic explosives. [REDACTED]

(b)(1)
 (b)(3) NatSecAct

[REDACTED] Subject was a 43 year old Iraqi citizen.

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[REDACTED] first glimpse of Subject occurred when Subject was being escorted to [REDACTED] Subject was wearing a head cover and cuffed for security, and appeared to be resisting capture in the form of kicking and scuffling with the members of SEAL Team Seven. Once Subject was loaded into [REDACTED] he was transported to the SEAL Team Seven compound at BIAP at approximately 0400 to 0530 hours (local time).

(b)(3) NatSecAct

(b)(3) NatSecAct

Upon arrival at the SEAL Team Seven compound, Subject was escorted to an interview room and placed in a chair. Subject appeared coherent and responded to [REDACTED] questions. [REDACTED]

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(b)(1)
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[REDACTED] (b)(1)
 [REDACTED] Subject did confirm his (b)(3) CIAAct
 identity. At approximately 0530 hours to 0545 hours, Subject was (b)(3) NatSecAct
 loaded into [REDACTED] and transported to Abu Ghurayb
 Prison.

Once at the prison, Subject was dressed in an orange prison (b)(1)
 uniform by the Military Police assigned to the prison and escorted (b)(3) CIAAct
 to a room for further questioning. For security, Subject was (b)(3) NatSecAct
 subsequently restrained to the bars on the window and questioning (b)(6)
 continued. Shortly after restraining Subject to the window, (b)(7)(c)
 [REDACTED] moved Subject's head cover up above his mouth and
 nose while keeping Subject's vision restricted. Subject was
 maintaining a coherent conversation and never said anything about
 being in discomfort or in need of medical attention. After
 approximately one hour and a half hours of questioning (0715 local
 time), [REDACTED] observed Subject slump toward the floor.
 [REDACTED] immediately sought the assistance of the Military Police
 whose post was within 15 feet of the interview room. Three
 Military Police Officers immediately entered the room and took
 control of Subject. It should be noted, there were open windows to
 the interview room enabling the Military Police to hear the entire
 custodial debriefing.

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While Military Police assisted Subject to his feet, [REDACTED] (b)(1)
 observed that Subject did not appear to be breathing and the head (b)(3) CIAAct
 cover was removed from Subject's eyes immediately. Once the (b)(3) NatSecAct
 head cover was removed, [REDACTED] observed that Subject had a (b)(6)
 bruised/swollen right eye. There were no other observable bruises (b)(7)(c)
 or contusions noted on Subject's body.

[REDACTED]

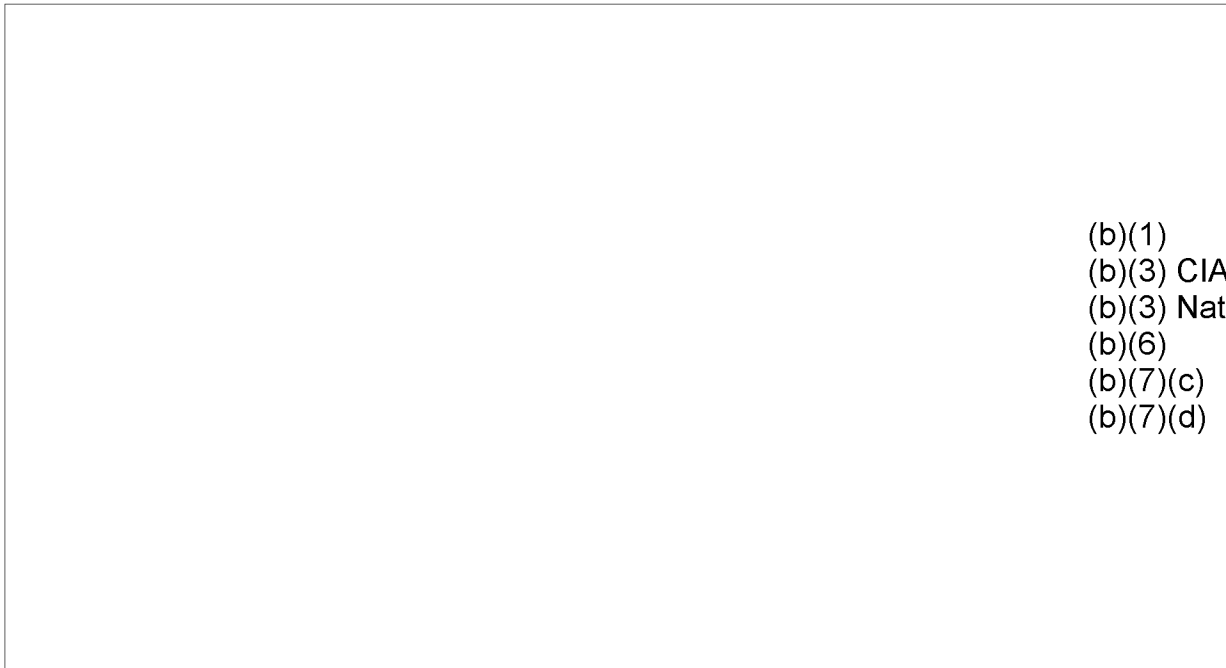
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The following is a chronological summary of the capture and events ending in the subsequent death of Manadal Al-Jamaidi (Subject) on 4 November 2003. All times are approximate.

0200-0230 Subject is captured by SEAL Team 7 (ST-7). [CIA] officers remained in their vehicles during the raid. . . . Subject's

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head was covered and he was wearing flexcuffs. Subject was kicking and resisting the ST-7 members who were attempting to place him into [REDACTED]

(b)(3)
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0250-0330 Team transports Subject to ST-7 base for further questioning.

0340-0450 Subject is debriefed by [REDACTED] Subject appears coherent and responsive to [REDACTED] questions. Subject did not make any comments about physical distress, his health, or ask for medical attention.

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0500-0520 [REDACTED]

[REDACTED] While en route to the prison, Subject was coherent and made no comments about physical distress or discomfort.

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0520-0530 Subject is escorted to an initial holding cell in the prison by Military Police officers.

0530-0545 Military Police officers at Abu Ghuraib take custody of Subject and dress him in orange coveralls and remove flexcuffs. Subject was coherent and made no comments about his physical health. While Subject was being dressed, there was no evidence of injury. The head cover was not removed.

0545-0555 Subject transferred from the holding cell by Military Police officers to a debriefing cell in the section of the prison where inmates of intelligence interest are detained. For security purposes, Subject is handcuffed to an exterior window with enough slack in the chain that would enable him to kneel or stand. [REDACTED]

(b)(1)
(b)(3) NatSecAct

0555-0700 [REDACTED] conducts custodial debriefing of Subject. Immediately after being handcuffed to the window, [REDACTED] moved Subject head cover above his mouth and nose. There was no evidence of bleeding or injury to Subject. Subject was maintaining a coherent conversation and never said anything about being in discomfort or in need of medical attention.

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0700-0715 [REDACTED] observes Subject slumping toward the floor and immediately summons the Military Police officers, who arrived

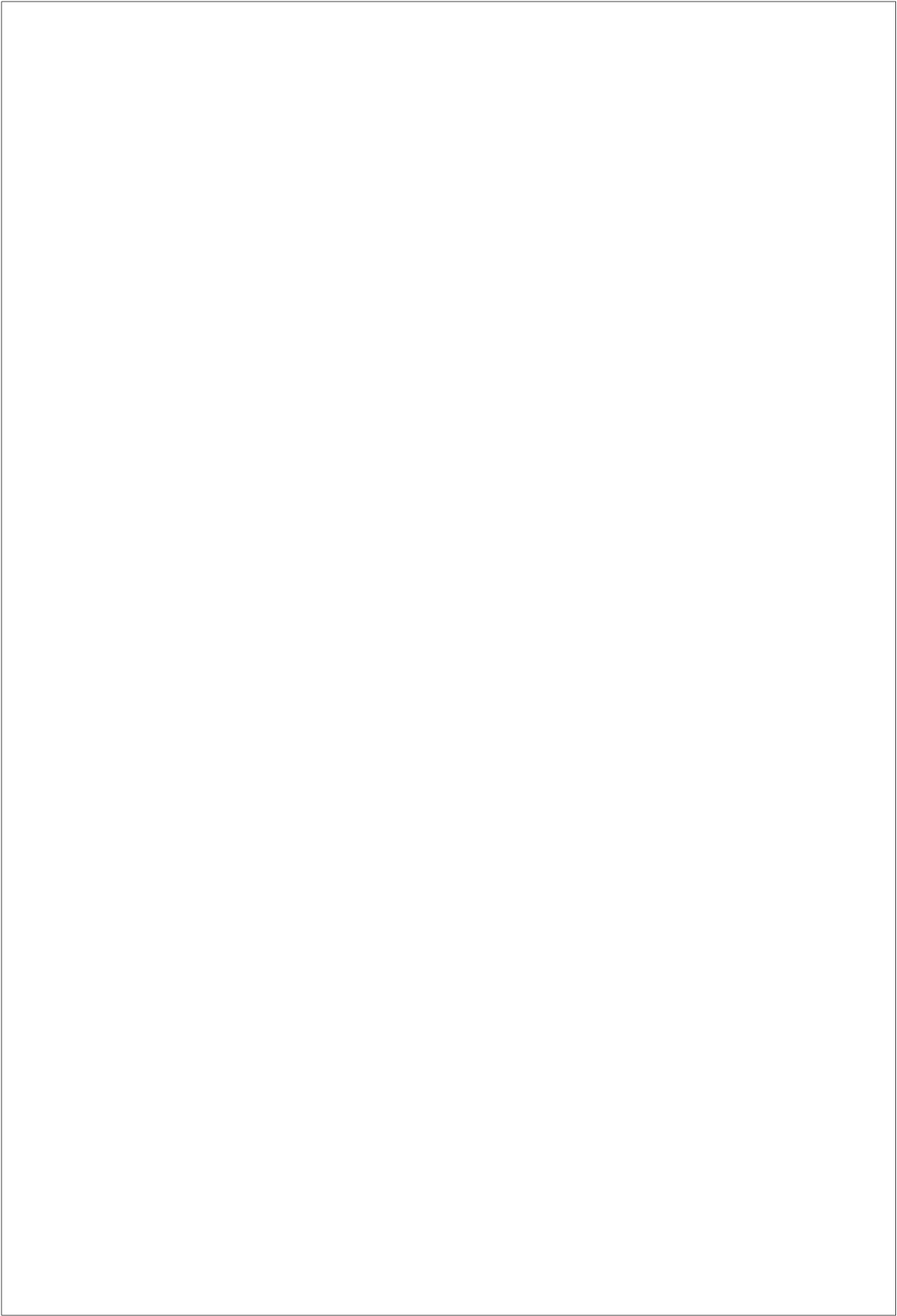
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within 20 seconds and took over. As the Military Police officers were lifting Subject, [] observed that Subject did not appear to be breathing. While the Military Police Officers were holding Subject up, [] immediately removed the head cover and noticed the injured right eye.



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~~(U//FOUO)~~ **FEDERAL CRIMINAL LAWS AND CIA POLICIES AND REGULATIONS POTENTIALLY RELEVANT TO AGENCY PERSONNEL IN THEIR TREATMENT OF AL-JAMAIDI AND THEIR ACTIONS IN THIS INVESTIGATION**

175. (U) **Federal criminal laws.** Four provisions of Title 18 U.S.C., *Crimes and Criminal Procedure*, could apply to the actions of CIA officers in this case. Title 18 U.S.C. §1112, *Manslaughter*, provides:

Manslaughter is the unlawful killing of a human being without malice. . . . Involuntary—In the commission of an unlawful act not amounting to a felony, or in the commission in an unlawful manner, or without due caution and circumspection, of a lawful act which might produce death. . . . Whoever is guilty of involuntary manslaughter, shall be fined under this title or imprisoned not more than six years, or both; . . .

Title 18 U.S.C. §1001, *Statements or entries generally*, provides:

[W]hoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation . . . shall be fined under this title or imprisoned not more than 5 years, or both.

Title 18 U.S.C. §1519, *Destruction, alteration, or falsification of records in Federal investigations and bankruptcy*, provides:

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.

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Title 18 U.S.C. §371, *Conspiracy to commit offense or to defraud United States*, provides:

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.

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188. (U//~~FOUO~~) Agency Regulation 13-6, Appendix I, *Standards for Employee Accountability* provides:

- a. Consequences will follow an employee's failure to comply with a statute, regulation, policy or other guidance that is applicable to the employee's professional conduct or performance.
- b. The lack of knowledge of a statute, regulation, policy or guidance does not necessarily excuse the employee. However, lack of knowledge may affect the level of employee responsibility and the extent to which disciplinary action is warranted. Therefore the following factors will be considered prior to holding an employee accountable for a particular act or omission:
 - (1) Agency efforts to make employees aware of the statute, regulation, policy or guidance;
 - (2) The extent of employee awareness of the statute, regulation, policy or guidance;
 - (3) The importance of the conduct or performance at issue;
 - (4) The position or grade of the employee.
- c. Any finding of deficient performance must be specific and may include omissions and failure to act in accordance with a reasonable level of professionalism, skill, and diligence.

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- d. Determinations under the above standard will be based in part on whether the facts objectively indicate a certain action should have been taken or not taken and whether the employee had an opportunity and the responsibility to act or not act.
- e. Managers may be held accountable in addition for the action(s) or inaction of subordinates even if the manager lacks knowledge of the subordinate's conduct. Such accountability depends on:
 - (1) Whether the manager reasonably should have been aware of the matter and has taken reasonable measures to ensure such awareness.
 - (2) Whether the manager has taken reasonable measures to ensure compliance with the law and Agency policies and regulations.

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RECOMMENDATION

~~(S)~~ The Director, Central Intelligence Agency should

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regarding the events

surrounding the death of Manadal Al-Jamaidi.

CONCUR:



John L. Helgerson
Inspector General

3 Nov. '05

Date

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